

SUBJECT: CITIZEN COMPLAINT PROCESS POLICY & PROCEDURE**POLICY STATEMENT:**

The Baltimore City Sheriff's Office is committed to being responsive to the needs and concerns of our citizens and to resolving complaints against personnel as quickly as possible. This policy has been designed to provide guidance to our supervisors, deputies, and civilian staff on the manner in which the BCSO receives and manages its complaints. We are committed to being consistent, fair, impartial and transparent when handling complaints.

PURPOSE:

To develop a complaint intake policy to ensure that complaints are taken seriously, and dealt with appropriately and consistently. To ensure that complaints are investigated and reported properly in a professional manner. An effective complaint process is fundamental to the provision of a quality law enforcement agency and to assure accountability among personnel.

This order consists of the following numbered sections:

- 2.7.1 DEFINITIONS**
- 2.7.2 COMPLAINT PROCESSING PROCEDURE**
- 2.7.3 COMPLAINT INVESTIGATION PROCEDURE**
- 2.7.4 INTERNAL AFFAIRS RESPONSIBILITIES**

SECTION 2.7.1 DEFINITIONS

Complaint: An expression of dissatisfaction made to or about an organization, related to services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Complainant: A person, group or company that makes a complaint against a person, group or company.

SECTION 2.7.2 COMPLAINT PROCESSING PROCEDURE

Subsection A. Citizen Complaint Intake Process

1. Due to new and improved technological advances, a citizen complaint can be received many ways to include the following:

In Person or Letter: 100 N. Calvert Street, Baltimore, Md. 21202, room 104

Telephone: (410) 396-1155

Fax: (410) 539-1054

Email: chief.IAD@baltimorecity.gov

2. The Baltimore City Sheriff's Office Complaint Form: The Baltimore City Sheriff's Office Complaint Form can be completed at the Baltimore City Sheriff's Office, at 100 N. Calvert Street, Baltimore, Md. 21202, room 104. In addition, complaints can be submit via email at chief.IAD@baltimorecity.gov . Although it preferred that citizen complaints be submitted in writing it is not required.

This list is not all inclusive and other avenues of communication and notification should be considered. However, every effort will be made to identify and authenticate the source of the complaint.

Subsection B. Agency Members Responsibility

All agency members are responsible for notifying their immediate supervisor and or respective chain of command if issues of integrity, misconduct, or criminal conduct is brought to their attention and or if they have knowledge of such activity as it relates to members of the agency.

Subsection C. Supervisors Responsibility (Sergeants, Lieutenants)

1. The individual who receives the complaint via in person, by telephone, use of technology, or correspondence will initiate a Preliminary Investigation in the form of a written administrative report (95), which will include;
 - a. Document Complainant's name and phone number (contact details)
 - b. Document Date of the complaint and date and time of incident

- c. Document the nature of the complaint (including its location)
 - d. Document the name of the employees, witnesses, suspect(s) involved (if applicable)
 - e. Inquire about video recordings, screen shots, social media, documents and other evidence
 - f. Document a command referral number for the complaint, which will be obtained from Internal Affairs
 - g. Internal Affairs (IAD) will act as a triage on all complaints received. Supervisors will be guided by the instructions of IAD personnel regarding procedural matters and reporting when applicable.
 - h. Notification will be made to the Sheriff Office Internal Affairs Division to obtain a Control number within four (4) hours of receipt of complaint
 - i. During off duty hours the Duty Officer will be notified.
2. **All complaints will be acknowledged and handled in a timely manner and addressed promptly with a sense of urgency.**
3. **All EEOC complaints will be handled in accordance with Sheriff Office General Order 2.3 Equal Employment Opportunity/Sexual Harassment & Discrimination Policy.**

(NOTE) Work performance, lateness and sick leave are considered personnel issues and should be handled by the immediate supervisor. Supervisors, are required to forward a copy of all disciplinary actions and obtain a referral number for tracking purposes.

SECTION 2.7.3 COMPLAINT INVESTIGATION PROCEDURE

Subsection A. Supervisors Preliminary Investigation

Once a complaint has been received, the information will be forwarded by a supervisor to IAD and entered on the BCSO complaint tracking system. The complaint will be forwarded through the respective chain of command to the appropriate section where a preliminary investigation will be initiated. If the complaint received is within the supervisors' respective section he/she will be required to handle the matter and initiate the preliminary investigation. Preliminary investigations will be documented on an administrative report (95). The complaint should be forwarded through the chain of command of the involved member. Complaints of alleged criminal activity to include Domestic Violence will be reported directly to the involved member's Commanding Officer. During off duty hours notify Duty Officer.

1. **The preliminary investigation should do and seek to answer the following:**

- a. Who, What, When, Where, Why, and How when applicable.
 - b. Document facts
 - c. Collect Supporting Documents
 - d. Take action when appropriate
 - e. Document the incident on internal correspondence
2. **If an incident requires suspension of Police Power, refer to the Baltimore City Sheriff's Office General Order 2.6 Suspension Procedure**
3. **The preliminary investigation and all relevant documents should be forward in packet form to your Commander, via Chain of Command by the end of your tour of duty or no later than the beginning of the following business day.**

Subsection B. Commander Responsibility:

- a. Review all documents related to complaint
- b. Initiate such action as deemed appropriate; not to exceed summary punishment, when applicable;
- c. Sign and forward the results to Internal Affairs of the inquiry and findings, within five (5) days of the date that the complaint was initiated.
- d. Notify the complainant in writing of the case disposition within 48 hours of Command related discipline.

(NOTE); Seek the assistance of IAD for guidance and direction when needed.

SECTION 2.7.4 INTERNAL AFFAIRS RESPONSIBILITIES

It is the responsibility of the Internal Affairs Division to receive, review and track all complaints made against members of the Baltimore City Sheriff's Office (BSCO).

If the alleged allegation meets the requirements for an internal affairs investigation, the investigation will be forwarded through the chain of command for review and subsequently to the Internal Affairs Division after completion of a supervisory preliminary investigation.

Subsection A. Incidents to be handled by IAD:

Excessive force, Harassment, Misconduct, Violation of Criminal Statues, and Sheriff Involved Firearms Discharge. Please see BCSO Standard Operational Procedure 4.3 Progressive Discipline Policy & Procedure.

1. The Internal Affairs Division shall:

- a. All Internal Affairs Investigation shall be handled under the guidelines of Law Enforcement Officer's Bill of Rights (LEOBR)
- b. Assign a case number to the complaint
- c. Investigate the complaint
- d. Refer the complaint to Command, if matter is within the scope of Command responsibility.
- e. Notify the complainant in writing of the case disposition within 48 hours of Command related discipline.
- f. Complaints will be reviewed **semi-annually (every 6 months)** by the commanding officer of IAD to identify issues of equity and fairness as it relates to BCSO disciplinary process.

(NOTE) All complainants will be kept informed throughout the complaint process and provided a final disposition regarding the incident. Be mindful, the BCSO does not disclose personnel matters to the public, but it is permissible to share if a complaint was sustained or not, which will be done through official correspondence.

2. Provided below is a list of agencies in the event that a citizen requests an alternative method to formalize their complaint and not communicate directly with Baltimore City Sheriff's Office personnel.

Maryland Legal Aid
500 E. Lexington Street
Baltimore, Maryland 21202
(410) 951-7777

Maryland Commission on Civil Rights
6 Saint Paul Street Suite 900
Baltimore, Maryland 21202
(410) 767-8600

Baltimore City Community Relations
Commission
10 North Calvert Street
Suite 915
Baltimore, Maryland 21202
(410) 396-3151

Communication of Policy: Supervisors shall be responsible for communication of this Order to their subordinates and to ensure compliance. This Order is effective on the date of publication